

## Message Text

CONFIDENTIAL

PAGE 01 BUCAR 02784 171810Z

47

ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 EURE-00 SP-02 NSC-05 NSCE-00

INR-05 CIAE-00 L-01 H-01 SCA-01 /038 W

----- 052552

P 171630Z MAY 76

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC PRIORITY 7955

C O N F I D E N T I A L BUCHAREST 2784

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, RO, EETT, CVIS, (RAUTA ECATERINA)

SUBJ: MEETING WITH FOREIGN MINISTER: RAUTA CASE

REF: BUCHAREST 2769

1. SUMMARY: FOREIGN MINISTER MACOVESCU HAS REITERATED SPECIAL NATURE OF RAUTA CASE WHICH MAKES IT IMPOSSIBLE FOR ROMANIANS TO MOVE ON MATTER, NO MATTER HOW STRONG THE PRESSURE FROM CONGRESS. HE HAS AGREED TO RECONSIDER PROBLEM OF FURTHER CONSULAR ACCESS TO MRS. RAUTA. END SUMMARY.

2. DURING CONVERSATION MAY 15 WITH FOREIGN MINISTER MACOVESCU REPORTED REFTEL RAUTA CASE WAS RAISED BY MINISTER IN CONTEXT OF TYPE OF CASE RECEIVING SPECIAL CONGRESSIONAL ATTENTION WHICH ROMANIANS CONSIDERED INSOLVABLE. MACOVESCU SAID CONGRESSMAN GREEN AND OTHERS PRESSING CASE HAD CLEARLY TO UNDERSTAND THAT UNDER ROMANIAN LAW RAUTA HAD BEEN CONVICTED AS A DESERTER. HE HAD VIOLATED THE TRUST PLACED IN HIM BY HIS GOVERNMENT AND HAD DESERTED HIS POST. THUS HIS IS A SPECIAL CASE WITH SPECIAL SENSITIVITIES. HE SAID IT IS "PAINFUL FOR US" TO OBSERVE THE LACK OF CONGRESSIONAL APPRECIATION OF THIS FACT. (IN A LATER REMARK, HE WENT SO FAR AS TO SAY HE DIDN'T UNDERSTAND WHY WE HARBORED DESERTERS. IF AN AMERICAN MARINE WERE TO DESERT HIS POST HERE, WE SHOULD KNOW HE WOULD BE HANDED OVER TO US).

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUCAR 02784 171810Z

3. I RESPONDED THAT INDEED THERE DID EXIST APPRECIATION IN WASHINGTON OF THE SITUATION. I RECOUNTED A CONVERSATION I HAD WITH BILL GREEN LAST FALL IN WHICH HE DEMONSTRATED FULL SENSITIVITY TO THE SPECIAL CIRCUMSTANCES OF THE CASE. BUT NEITHER HE, RIBICOFF OR THE OTHERS INTERESTED IN THE CASE UNDERSTOOD WHY THE ROMANIAN GOVERNMENT INSISTED ON PUNISHING MRS. RAUTA AND HER CHILD INDEFINITELY FOR HER HUSBAND'S ACT.

4. IN THIS CONNECTION I SAID I WAS VERY CONCERNED TO LEARN LAST WEEK THAT DESPITE EARLIER ASSURANCES PACOSTE HAD GIVEN DCM THAT ROMANIA WOULD FULLY RESPECT THE LETTER AND SPIRIT OF OUR CONSULAR CONVENTION, MRS. RAUTA HAD INFORMED US THE SECURITATE HAD AGAIN WARNED HER AGAINST HAVING ANY CONTACT WITH THE CONSULATE. THIS WAS A VIOLATION OF OUR CONSULAR AGREEMENT WHICH WE COULD NOT ACCEPT.

5. MACOVESCU RESPONDED THAT IN A FORMAL SENSE I WAS CORRECT. BUT AS HE HAD JUST SAID, ROMANIA CONSIDERED THIS A SPECIAL CASE; BY VIRTUE OF SO MUCH CONGRESSIONAL INTEREST IT HAD BECOME A POLITICAL QUESTION AND THEREFORE HAD TO BE TREATED DIFFERENTLY. THUS THE MATTER OF ACCESS UNDER THE PROVISIONS OF THE CONSULAR AGREEMENT TOOK ON A SPECIAL CONNOTATION WHICH WE OUGHT TO UNDERSTAND AND TO WHICH BOTH SIDES HAD TO ADAPT. HE THEN REITERATED HIS DESERTER (HE SAID HE WAS AVOIDING THE USE OF THE WORD TRAITOR) THEME AND THE SENSITIVITIES ACCRUING TO IT. HE COULD NOT AGREE THAT THE ACCESS GUARANTEE IN THE CONVENTION HAD VALIDITY IN THIS CASE.

6. I ANSWERED THAT IT WAS PRECISELY BECAUSE OF THE SENSITIVITY OF THE CASE THAT WE INSISTED THE CONVENTION BE RESPECTED AND THAT MRS. RAUTA BE ALLOWED "FROM TIME TO TIME" TO CONTACT THE CONSUL. CONVENTIONS ARE OF REAL USE IN DIFFICULT SITUATIONS, NOT EASY ONES, AND I REMINDED HIM OF THE DICTUM THAT TREATIES ARE MEANT TO BE OBSERVED. I ASSURED HIM THERE WERE NO ULTERIOR MOTIVES BEHIND OUR INSISTENCE AND THAT THE CONVERSATIONS BETWEEN THE CONSUL AND MRS. RAUTA WERE OF A ROUTINE NATURE. WE WERE AWARE OF THE SENSITIVITIES INVOLVED AND HAD "ADAPTED" OURSELVES TO THEM IN THAT WE WERE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BUCAR 02784 171810Z

TALKING ONLY ABOUT PERIODIC DISCUSSIONS WITH MRS. RAUTA. IN ADDITION I RECALLED HIS OWN STATEMENT TO ME IN THE CASE OF AN AMERICAN ACCUSED OF CRIMES HERE (CHARGES I REMINDED HIM WE HAD REJECTED) THAT THE INDIVIDUAL'S WIFE WOULD NOT BE AFFECTED UNDER ROMANIAN LAW SINCE ONLY THE CONVICTED INDIVIDUAL COULD BE HELD GUILTY.

7. I SAID THAT I WISHED HIM TO KNOW IN ALL FRANKNESS THAT

IF THE ROMANIAN GOVERNMENT DID NOT INTEND TO LIVE UP TO ITS OBLIGATIONS UNDER THE CONSULAR CONVENTION IN RESPECT TO THIS CASE THEN WE WERE FACED WITH AN EVEN MORE SERIOUS PROBLEM. SENSING THAT MACOVESCU MAY HAVE DUG HIMSELF INTO A HOLE HE HAD NOT INTENDED, I ADDED THAT I DID NOT INSIST MRS. RAUTA SHOULD COME TO THE CONSULATE. THE CONSUL COULD VISIT HER AT HOME "FROM TIME TO TIME" AS HE HAD IN THE PAST. THE IMPORTANT THING WAS THAT ACCESS BE GUARANTEED. I CONCLUDED BY ASKING THAT MACOVESCU REFLECT ON THE IMPLICATIONS OF HIS POSITION BEFORE TAKING A FINAL DECISION.

8. HE PROMPTLY RESPONDED THAT HE HAD TO CONFESS HE DID NOT KNOW ALL THE DETAILS OF THE CASE AND THAT HE WOULD UNDERTAKE TO FAMILIARIZE HIMSELF WITH THEM. WE THEN PROCEEDED TO ANOTHER TOPIC.

9. COMMENT: AS NOTED ABOVE I HAVE THE FEELING MACOVESCU MAY HAVE GOT HIMSELF IN DEEPER ON THE ACCESS PROBLEM THAN HE INTENDED. I AM REASONABLY OPTIMISTIC THAT UPON REFLECTION HE WILL BACK OFF.

10. AT THE SAME TIME THE FORCE AND INFLEXIBILITY OF HIS PRESENTATION REAFFIRMED MY EARLIER APPRAISAL THAT THIS IS ONE CASE THE GOR WILL NOT BUDGE ON UNLESS WE GO ALL THE WAY TO THE MAT. AND I CERTAINLY DO NOT RECOMMEND SUCH A MOVE AT THE PRESENT MOMENT. I DO NOT BELIEVE THAT RAUTA'S PUBLIC RELATIONS CAMPAIGN WILL RESULT IN ANYTHING OTHER THAN STIFFENING THE ALREADY RIGID ROMANIAN POSITION. NOR DO I THINK INCREASED CONGRESSIONAL PRESSURE IS THE SOLUTION. IT IS MY PRESENT JUDGEMENT THAT IF WE CONTINUE OUR CURRENT POLICY OF EXPRESSING QUIETLY BUT FIRMLY OUR INTEREST IN THE CASE SOONER OR LATER -- PROBABLY LATER -- MRS. RAUTA AND HER CHILD WILL FIND THEMSELVES ON A LIST OF APPROVED  
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BUCAR 02784 171810Z

DEPARTURES BOUND FOR A THIRD COUNTRY. BUT IF WE SHOULD INSIST ON A PROMPT "SOLUTION" TO THE CASE PRIOR TO CONGRESSIONAL EXTENSION OF MFN WE WILL HAVE A MAJOR CONFRONTATION ON OUR HANDS.  
BARNES

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MFN, EAST WEST TRADE, FOREIGN RELATIONS, MINISTERIAL MEETINGS, EMIGRANTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 MAY 1976  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** izenbei0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BUCHAR02784  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760190-0852  
**From:** BUCHAREST  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760547/aaaabojd.tel  
**Line Count:** 159  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** 76 BUCHAREST 2769  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** izenbei0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 MAY 2004 by woolflhd>; APPROVED <30 AUG 2004 by izenbei0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MEETING WITH FOREIGN MINISTER: RAUTA CASE  
**TAGS:** PFOR, EEWT, CVIS, RO, US, (RAUTA ECATERINA)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006